

IN THE DISTRICT COURT OF THE STATE OF UTAH, IN AND FOR UTAH COUNTY
 PROVO RESERVOIR COMPANY,
 A Corporation,
 Plaintiff

Vs

Provo City, Lincoln School District,
 Albert Jacobsen, Lewis Jacobsen,
 Sarah Williams, Annie Glade, and
 Zion's Savings Bank and Trust Company,
 Defendants.

SEPARATE ANSWER OF
 Albert Jacobsen, et al.

Now come Albert Jacobsen, Lewis Jacobsen, Sarah Williams, Annie Glade and Zion's Savings Bank and Trust Company, defendants named in the above entitled cause, and after leave as had and obtained from this Court make their Answer to the complaint of the plaintiff and allege:

1st. That they and their predecessors in interest, are the owners in possession and entitled to the possession of sixty-three (63) acres of land situate in Section 3, Township 7 South, Range 2 East of the Salt Lake Meridian, Lakeview Precinct, Utah County, State of Utah; and they and their predecessors in interest have so owned and possessed the said lands for more than fifty (50) years.

2nd. That the said lands, and the whole thereof, have been irrigated from the waters of Provo River, taken out of said river near the Rio Grande Railroad bridge across Provo River; that said lands are arid and non-profitable for cultivation without irrigation, but with irrigation are good agriculture lands and capable of producing abundant crops of general farm products.

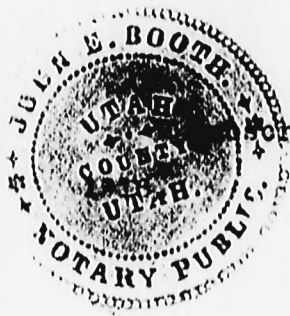
3rd. That said water is taken through what is known as the Jacobsen ditch, and is supplied in low water season from the seepage waters of said Provo River; and the said Jacobsen ditch is the lowest one taking water out of said river. That these said defendants have used sufficient water for a successful raising of crops for more than fifty (50) years without interruption or interference from anybody whatsoever, and that to be deprived of said water would work a irreparable injury to them and make their said lands practically valueless. That the amount of said water necessary, as aforesaid, is about _____ second feet.

WHEREFORE, These defendants pray this honorable court
for judgment against the said plaintiff and all other persons
interested, that the title to said waters be quieted in these
defendants, and that they be hence dismissed with their costs.

J E Booth
Attorney for the said Defendants.

STATE OF UTAH)
 (SS.
COUNTY OF UTAH.)

Lewis Jacobsen, being first duly sworn
on his oath, says that he is one of the defendants in the above
entitled action; that he has read the foregoing Answer and knows
the contents thereof, and that the same is true of his own know-
ledge, except as to matters therein stated on his information
and belief, and as to those matters he believes it to be true.



Lewis Jacobsen
Subscribed and sworn to before me this 12th day of December

J E Booth
Notary Public.

My Commission expires March 9, 1919.

IN DIST. COURT
UTAH CO., UTAH.

* FILED *

DEC 12 1916

E. T. Ralston Clerk.

W. V. Shaw Deputy.